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TTEC SERVICES CORPORATION

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

David Barocas, individually and on behalf
of all others similarly situated,

Plaintiff,

vs.

TTEC Services Corporation, et al.,

Defendant.

Case No. 2:22-cv-00217-ROS

Assigned to Honorable Roslyn O. Silver

**JOINT NOTICE OF SETTLEMENT
IN PRINCIPLE AND STIPULATION
TO STAY CASE DEADLINES**

Complaint Filed: February 9, 2022

In accordance with LRCiv 40.2(d), Plaintiff David Barocas (“Plaintiff”), together with TTEC Services Corporation (“Defendant,” and, together with Plaintiff, the “Parties”), by and through their attorneys, are pleased to advise the Court that they have reached a settlement in principle of this case on a class-wide basis that will resolve all claims. In light of the settlement, the parties respectfully submit and stipulate that all pending case events and deadlines should be stayed while the settlement is finalized and approved in a related action in another court (the “Stipulation”), after which this case will be dismissed with prejudice. Thus, in accordance with this Stipulation, the Parties respectfully request that the Court stay all deadlines—including the upcoming

1 August 26, 2022, deadline for Defendant's response to Plaintiff's Complaint. In
2 support of this Stipulation, the Parties state as follows:

3 1. On February 9, 2022, Plaintiff filed his complaint in the above-captioned
4 action. [Doc. 1.]

5 2. This proposed class action matter is one of a number of civil actions arising
6 from the same data security incident at TTEC Services Corporation.

7 3. There are related class action cases pending in Colorado and California that
8 have been initiated by multiple plaintiffs represented by different law firms.

9 4. On April 27, 2022, the Court granted the Parties' request and extended
10 Defendant's response deadline to May 26, 2022. [Doc. 14.]

11 5. On May 16, 2022, the Court granted the Parties' second request for an
12 extension to August 26, 2022, allowing the Parties to participate in the mediation
13 scheduled with experienced mediator Bennett G. Picker. [Doc. 18.]

14 6. On July 27, 2022, the Parties participated in a mediation session with
15 Bennett G. Picker. In that session and through some follow-up communications, the
16 Parties reached a settlement in principle that will resolve all pending litigation related to
17 the incident on a class-wide basis. The settlement in principle includes the Plaintiff in
18 this case as well as the plaintiffs in the Colorado and California actions, *Beasley v. TTEC*
19 *Services Corp.*, 1:22-cv-00097-PAB-NYW (D. Colo.) and *Lett v. TTEC Services Corp.*,
20 3:22-cv-00018-SK (N.D. Cal.).

21 7. The Parties expect to seek preliminary and final approval of the settlement
22 in the related case filed in the District of Colorado because multiple cases have already
23 been consolidated there for case management purposes, TTEC is incorporated and
24 headquartered in Colorado, a substantial part of the alleged events giving rise to
25 plaintiffs' claims in all actions occurred in Colorado, and the incident involved TTEC
26 employees, many of whom are located in Colorado. Accordingly, the Parties intend to
27 file a Notice of Settlement in the Colorado action which will request leave for Plaintiff
28 to file a motion for preliminary approval of a Settlement Agreement in that Court. The

1 motion will propose additional deadlines as required by Rule 23, including for notice, an
 2 opportunity for the class members to object for opt out, and a final approval hearing.

3 8. Given that the Parties have agreed to the settlement in principle, which will
 4 require approval by another court, the Parties jointly request that this Court stay all
 5 pending case events and deadlines while the settlement is finalized and approved. The
 6 stay will allow time for the filing, notice, and final approval of the class-wide settlement
 7 by the court in *Beasley v. TTEC Services Corp.*, 1:22-cv-00097-PAB-NYW (D. Colo.),
 8 which will resolve this action.

9 9. The stay requested herein is for good cause and is not for purposes of delay
 10 or other improper purpose. It is merely to allow the Parties to completely resolve all
 11 cases arising from this data security incident, while conserving the resources of the
 12 parties and the Court. Accordingly, the Parties' Stipulation will not prejudice the orderly
 13 administration of this matter.

14 WHEREFORE, Plaintiff David Barocas and Defendant TTEC Services
 15 Corporation respectfully request that the Court enter this Stipulation staying all case
 16 events and deadlines while the settlement is finalized and approved.

17
 18 Dated: August 22, 2022

MORGAN, LEWIS & BOCKIUS LLP

19
 20 By /s/ Catherine N. Hounfodji

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*Attorneys for Defendant
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1 Dated: August 22, 2022

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CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2022, I electronically filed the above with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to counsel of record.

/s/ Catherine N. Hounfodji
Catherine N. Hounfodji